

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERK'S OFFICE

UNITED STATES OF AMERICA)

Criminal No. 05-30017-MAP

v.)

CARLOS MARRERO,)

Defendant.)

2006 NOV -9 A 11:30

U.S. DISTRICT COURT
DISTRICT OF MASS.

GOVERNMENT'S THIRD MOTION FOR ENTRY
OF AN ORDER OF EXCLUDABLE DELAY

Now comes the United States, by its undersigned attorneys, and hereby moves that the Court enter an Order of Excludable Delay from November 8, 2006 through March 5, 2007 pursuant to 18 U.S.C. §3161(h)(8)(A). The government relies on the following in support thereof.

On April 19, 2006, Attorney Linda Thompson filed a Motion to Withdraw as counsel for the defendant which was allowed by this Court on April 28, 2006. Prior to Attorney Thompson's Motion to Withdraw, beginning on March 4, 2006, the defendant and his attorney were reviewing discovery and otherwise attempting to determine whether the case was going to be a trial.

The Court appointed the Federal Defender's Office and the defendant is now represented by Attorney Timothy Watkins. Attorney Watkins is the fourth attorney to represent the defendant in this case. Attorney Watkins requested time within which to review discovery and determine whether the case will require a trial. At the May 15, 2006, Status Conference the

Court set another Status Conference for June 16, 2006. The Status Conference was twice postponed at the defendant's request, first to July 25, 2006 then to September 8, 2006.

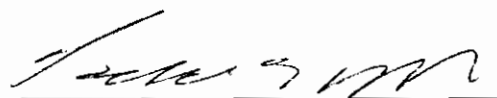
During the September 8, 2006, Status Conference the defendant requested another Status Conference in eight weeks for reasons set forth during a sealed hearing. The Status Conference was rescheduled for November 8, 2006. At the Status Conference the defendant requested another Status Conference on January 16, 2007 and a trial date of March 5, 2007 for the reasons set forth during the sealed conference.

Therefore, the government moves that the Court exclude the time between November 8, 2006 and March 5, 2007, from the speedy trial time period pursuant to 18 U.S.C. §3161(h)(8)(A). The exclusion of this time from the Speedy Trial time period is in the interests of justice. The defendant assents to this motion.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

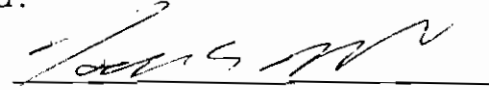

TODD E. NEWHOUSE
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
November 9, 2006

I, Todd E. Newhouse, Assistant U.S. Attorney, do hereby certify that I have served, by first class mail, a copy of the foregoing, to all counsel of record.


TODD E. NEWHOUSE
Assistant U.S. Attorney